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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,095	11/12/2002	Dale White	M 206	5608

7590 03/29/2004

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EXAMINER

CHIN, PAUL T

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/628,095	Applicant(s) WHITE, DALE	
	Examiner PAUL T. CHIN	Art Unit 3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Browne (2,989,334)**.

Re claims 1 and 12, **Browne (2,989,334)** discloses a manipulating hand for handling an object comprising an elongate member (12) having a longitudinal axis, means (42,50) for retaining said elongate member parallel to the forearm of an operator, a rod (14) axially moveable with respect to said elongate member between an extended position and a retracted position, a hook (34) at a distal end of said rod, means for urging said rod to said extended position, a hand operable means (16,46) for drawing said rod to said retracted position, and an engagement member (24,26) for engaging said hook when said hook is drawn into said retracted position.

Re claim 2, Browne's manipulating hand shows said means for retaining said elongate member parallel to the forearm of an operator comprising a ring (50) (Fig. 4) defining a plane perpendicular to said axis.

Re claim 3, Browne's manipulating hand shows said means for urging said rod to said extended position is a coil spring (22).

Re claim 4, Browne's manipulating hand shows said hand operable means comprises a handle member (46) perpendicular to said axis and a trigger (16) moveable by a finger of an operator having a hand on said handle.

Re claim 5, Browne's manipulating hand shows said engagement member is a substantially radial flange (24) (see Fig. 2).

Re claim 6, Browne's manipulating hand shows said elongate member is a tube and said rod is axially moveable within said tube.

Re claim 7, Browne's manipulating hand shows said means for urging said rod to said extended position is a coil spring (22) within said tube (12).

Re claim 8, Browne's manipulating hand shows said hand operable means comprises a handle member (46) perpendicular to said axis and a trigger (16) moveable by a finger of an operator having a hand on said handle.

Re claim 9, Browne's manipulating hand shows said trigger is locked for axial movement with said rod at member (18) (Fig. 3).

Re claim 10, Browne's manipulating hand shows attachment means (18) for locking said trigger for movement with said rod, release means (20) for releasing said attachment means from said rod wherein said hook may be rotated about said axis while said attachment means is released from said rod.

Re claim 11, Browne's manipulating hand shows said means for retaining said elongate member parallel to the forearm of an operator comprises a ring (50) (Fig. 4) defining a

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plane perpendicular to said axis through which said forearm of said operator extends. It is pointed out that Browne's manipulating hand contains all the structural elements as recited in the claims 1-12 above while the intended use (i.e. for handling a wire material) is not patentably significant.

4. Claims 1 and 3-9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Eusebe (5,570,919)**.

Eusebe (5,570,919) discloses a manipulating hand for handling a wire material comprising an elongate member (12) having a longitudinal axis, means (14) for retaining said elongate member parallel to the forearm of an operator, a rod (24) axially moveable with respect to said elongate member between an extended position and a retracted position, a hook (Fig. 4) at a distal end of said rod, means for urging said rod, or a coil spring (22) (Fig. 5) within the tube (12), to said extended position, a hand operable means (16) for drawing said rod to said retracted position, and an engagement member (26), a radial flange (see Fig. 3), for engaging said hook when said hook is drawn into said retracted position.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL T. CHIN whose telephone number is (703) 305-1524. The examiner can normally be reached on MON-THURS (7:30 -6:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EILEEN LILLIS can be reached on (703) 308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, reading "Paul Chin".

PAUL T. CHIN
Examiner
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